

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lawrence Baer, on Behalf of Himself
And All Others Similarly Situated,

Civil No. 03-CV-3459 (MJD/RLE)

Plaintiffs,

ORDER

v.

J.D. Donovan, Inc.,

Defendant

Based upon the Stipulations of the parties and the prior Orders of this Court, the Court orders as follows:

1. The parties have stipulated to, and the Court has ordered, the dismissal of Plaintiffs' claims under the Americans with Disabilities Act;
2. Pursuant to the Court's prior Orders, Counsel for the Plaintiff class has provided notice to all potential class members identified by Defendant of the dismissal of the claim and the reasons therefore;
3. By Order of this Court dated June 2, 2006, a hearing for objections was scheduled for July 28, 2006, with written objections to be filed by July 5, 2006;
4. The Court has received no written objections;
5. Therefore, pursuant to paragraph 4 of the Court's November 7, 2005 Order, the claim for violation of the Americans with Disabilities Act shall be and hereby is dismissed with prejudice and Plaintiffs' state claims are dismissed without prejudice.

IT IS SO ORDERED.

Dated: July 28, 2006

s / Michael J. Davis

Judge, United States District Court Judge
For the District of Minnesota